

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

REDLANDS UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2014090049

ORDER FOLLOWING PREHEARING  
CONFERENCE GRANTING FILING  
OF FIRST AMENDED COMPLAINT

On January 23, 2015, a telephonic prehearing conference was held before Administrative Law Judge Sabrina Kong, Office of Administrative Hearings. David Grey, Attorney at Law, appeared on Student's behalf. Karen Gilyard, Attorney at Law, appeared on Redlands Unified School District's behalf. The PHC was recorded.

On August 29, 2014, Student filed a due process hearing request, naming District. On September 26, 2014, OAH granted the parties' joint request for a first continuance of hearing. On January 20, 2015, Student filed a request to amend the complaint and added one issue: that District deprived Student a free appropriate public education by failing to convene an annual individualized education program meeting in November 2014. On January 23, 2015, District stipulated to the filing of Student's first amended complaint.

As discussed below, the request to amend the complaint is granted with Student's exhibit to the Stipulation Allowing Student to File his First Amended Complaint deemed as the First Amended Complaint and that such First Amended Complaint is deemed filed as of the date of this Order.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely, and is granted because the addendum will result in a more efficient hearing of related issues. **There will be no other continuances and amendments permitted in this case.** The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. The new dates will be as follows:

Telephonic Pre-Hearing Conference: April 6, 2015 at 1:00 p.m. Parties are ordered to timely file new PHC statements by 5:00 p.m., on April 1, 2015.

Due Process Hearing Dates: April 13, 2015 at 1:30 p.m., April 14, 15, and 16, 2015 at 9:00 a.m. at District's office located at 20 West Lugonia, Redlands, CA 92373, and continuing day to day, Monday through Thursday, as needed, at the discretion of the ALJ.

The parties shall immediately notify all potential witnesses of the hearing dates, and shall subpoena witnesses if necessary, to ensure that the witnesses will be available to testify. A witness will not be regarded as unavailable for purposes of showing "good cause" to continue the hearing if the witness is not properly notified of the hearing date or properly subpoenaed, as applicable.

IT IS SO ORDERED.

DATE: January 23, 2015

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/s/  
SABRINA KONG  
Administrative Law Judge  
Office of Administrative Hearings